



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **MP-6**
19.041

June 1, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

LOS ANGELES RIVER - PARCEL 232, AFFECTS PARCELS 387, 699, 718, 719, 746, 747, 749, 750, 752, 753, 759, 762, 763, 783, 799, 800, 805, 806, 813, 817, 821, 833, 838, 840, 843F, 846, 850, 851, 852, 855, 1545, 1699, 1713, 1796, AND 1856
GRANT OF EASEMENT - CITY OF LOS ANGELES
SUPERVISORIAL DISTRICT 1
3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Acting as a responsible agency pursuant to the California Environmental Quality Act (CEQA), find that the granting of the recommended easement necessary for the City of Los Angeles' Bikeway Project along the Los Angeles River is exempt from CEQA.
2. Find that the proposed grant of an easement for the purpose of a bike path within Los Angeles River, Parcel 232, also affecting Parcels 387, 699, 718, 719, 746, 747, 749, 750, 752, 753, 759, 762, 763, 783, 799, 800, 805, 806, 813, 817, 821, 833, 838, 840, 843F, 846, 850, 851, 852, 855, 1545, 1699, 1713, 1796, and 1856 (Parcel 232, et al.), from the Los Angeles County Flood Control District to the City of Los Angeles and the City's subsequent use of said easement, will not interfere with the use of the Los Angeles River for any District purpose.

3. Approve the grant of an easement for a bike path from the Los Angeles County Flood Control District to the City of Los Angeles within the Los Angeles River, Parcel 232, et al. (75,364± square feet). These parcels are located along the west side of the Los Angeles River, between Fletcher Drive and Barclay Street, in the City of Los Angeles.
4. Instruct the Chair to sign the enclosed Easement document and authorize delivery to the Grantee.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the District to grant an easement for the construction, operation, and maintenance of a bike path along the Los Angeles River, Parcel 232, et al., to the City of Los Angeles. The City requested the easement for Phase 1C of the City of Los Angeles' River Bikeway Project. The granting of this easement is not considered adverse to the District's purposes. Moreover, the instrument reserves paramount rights for the District's interest.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goal of Service Excellence by increasing recreational opportunities to the residents of the City of Los Angeles and the County of Los Angeles.

FISCAL IMPACT/FINANCING

The Los Angeles County Flood Control Act provides for District property to be used for recreational purposes; thus, the easement will be granted without compensation to the District.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The granting of this easement will not hinder the use of the channel for possible transportation, utility, or recreational corridors. The enclosed Easement has been approved by County Counsel and will be recorded.

The Honorable Board of Supervisors
June 1, 2006
Page 3

ENVIRONMENTAL DOCUMENTATION

CEQA requires public agency decision-makers to document and consider the environmental implications of their action. The granting of the recommended easement is categorically exempt pursuant to Sections 15304 and 15305 of the State CEQA Guidelines and Classes 4(n) and 5(a) of the County's Environmental Document Reporting Procedures and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

Enclosed are an original and duplicate of the Easement document. Please have the original and duplicate signed by the Chair and acknowledged by the Executive Officer of the Board. Please return the executed original to Public Works and retain the duplicate for your files.

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

MQ:psr
P6\bl LA RIVER 232.doc

Enc.

cc: Auditor-Controller (Accounting Division - Asset Management)
Chief Administrative Office
County Counsel

DUPLICATE

RECORDING REQUESTED BY
AND MAIL TO:

The City of Los Angeles
City Clerk
200 North Spring Street
3rd Floor, Room 360
Los Angeles, CA 90014-1911

Space Above This Line Reserved for Recorder's Use

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX PURSUANT TO
SECTION 11922 OF THE REVENUE & TAXATION CODE.

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION
27383 OF THE GOVERNMENT CODE.

Assessor's Parcel Numbers:
5437-028-905 and those A.P.N.'s
shown on Exhibit A

EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to the CITY OF LOS ANGELES, a municipal corporation (hereinafter referred to as CITY), an easement for the construction and maintenance of a bike path, for public riding and hiking purposes, and for other non-motorized recreational use, in, on, over, and across the real property in the City of Los Angeles, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions which CITY, by the acceptance of this Easement and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.
2. CITY agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, and across the land herein-described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.

File with: **LOS ANGELES RIVER 232**
Also affects: Parcels 387, et al.
19-RW 26.2, 26.3, and 27.2
I.M. 144-197
S.D. 1 M05W22008

3. CITY agrees that it shall indemnify and save harmless the DISTRICT, its officers, agents, and/or employees, from any and all liability, loss, or damage to which DISTRICT, its officers, agents and employees may be subjected as the result of any act or omission by CITY, its officers, agents, or employees, arising out of the exercise by CITY, its officers, agents, or employees of any of the rights granted to it by this instrument.
4. It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement.
5. The provisions and agreements contained in this Easement shall be binding upon CITY, its successors, and assigns.

TO THE EXTENT any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following CITY's exercise of these easement rights to construct such structures and improvements, CITY agrees to pay on behalf of DISTRICT that part of any such assessment levied against DISTRICT which is based on the value contributed to that area by CITY's said improvements.

Dated _____

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

By _____
Chair, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:

SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

KDR:bw

P:\MPM\WORDPRO\TITLE\CONF\KR-ELARIVER232.DOC

NOTE: Acknowledgment form on reverse side.

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring his/her signature.

The undersigned hereby certifies that on this ____ day of _____, 20____, the facsimile signature of _____, Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

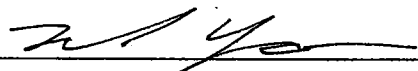
In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM
RAYMOND G. FORTNER, JR.,
County Counsel

By 

| |
|--|
| APPROVED as to title and execution, _____, 20____. |
| DEPARTMENT OF PUBLIC WORKS Mapping & Property Management Division |
| Supervising Title Examiner |
| By _____ |

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant herein, dated _____, from the Los Angeles County Flood Control District, a body corporate and politic, to the City of Los Angeles, a municipal corporation, is hereby accepted pursuant to authority conferred by Resolution No. _____, of the City Council of the City of Los Angeles, adopted on _____, and the grantee consents to the recordation thereof by its duly authorized officer.

Dated _____

By _____

EXHIBIT A

File with: **LOS ANGELES RIVER 232**

Also Affects: Parcel Nos. 387, 699, 718, 719, 746, 747, 749, 750,
752, 753, 759, 762, 763, 783, 799, 800,
805, 806, 813, 817, 821, 833, 838, 840,
843F, 846, 850, 851, 852, 855, 1545,
1699, 1713, 1796, and 1856

19-RW 26.2, 26.3 and 27.2

A.P.N. 5437-028-905 (Portion)

A.P.N. 5442-002-904 and 905 (Portions)

5442-009-901 (Portion)

5442-010-903 (Portion)

5442-017-900 and 901 (Portions)

5442-018-900, 901, 902 and 903 (Portions)

5442-022-900 (Portion)

5442-023-900 (Portion)

A.P.N. 5445-002-900 (Portion)

5445-005-900 (Portion)

5445-008-900, 901 and 904 (Portions)

5445-010-900 (Portion)

5445-012-900 (Portion)

5445-013-900 (Portion)

5445-014-900 & 901 (Portions)

T.G. 594 (E3, F3, G3, G4, G5, H5 and H6)

I.M. 144-197

S.D. 1

M05W22008

LEGAL DESCRIPTION

(Easements for bike path purposes)

Part A (Affects Parcel Nos. 799 and 800) [R/W 33236-2A]

Those portions of Lots 53 and 54, Tract No. 5634, as shown on map recorded in Book 60, page 31, of Maps, in the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles, shown as Parcels 2 and 3 on map filed in Book 177, pages 67 to 83, inclusive, of Record of Surveys, in the office of said Registrar-Recorder/County Clerk.

Containing: 1,398± s.f.

Part B (Affects Parcel No. 805) [R/W 33236-4A]

That portion of Lot F, above-mentioned Tract No. 5634, shown as Parcel 6 on above-mentioned map of Record of Surveys.

Containing: 891± s.f.

Part C (Affects Parcel Nos. 805 and 806) [R/W 33236-7A]

Those portions of Lots 21 and E, above-mentioned Tract No. 5634, shown as Parcels 9 and 10 on above-mentioned map of Record of Surveys.

Containing: 1,237± s.f.

Part D (Affects Parcel No. 813) [R/W 33236-11A]

That portion of Lot A, above-mentioned Tract No. 5634, shown as Parcel 15 on above-mentioned map of Record of Surveys.

Containing: 63± s.f.

Part E (Affects Parcel No. 817) [R/W 33236-14A]

That portion of Lot 9, Block 2, Tract No. 5635, as shown on map recorded in Book 60, pages 49 and 50, of above-mentioned Maps, shown as Parcel 18 on above-mentioned map of Record of Surveys.

Containing: 692± s.f.

Part F (Affects Parcel Nos. 821 and 1699) [R/W 33236-16A]

Those portions of Lots 13 to 18, inclusive, Block 3, above-mentioned Tract No. 5635, shown as Parcels 21 to 26, inclusive, on above-mentioned map of Record of Surveys.

Containing: 3,600± s.f.

Part G (Affects Parcel No. 833) [R/W 33236-26A]

Those portions of Lots 13 and 14, Block 12, above-mentioned Tract No. 5635, shown as Parcels 42 and 43, on above-mentioned map of Record of Surveys.

Containing: 1,492± s.f.

Part H (Affects Parcel Nos. 838 and 840) [R/W 33236-30A]

Those portions of Lots 12 and 14, Block 13, above-mentioned Tract No. 5635, shown as Parcels 48 and 49, on above-mentioned map of Record of Surveys.

Containing: 2,902± s.f.

Part I (Affects Parcel No. 843F) [R/W 33236-31A]

That portion of Lot 13, Block 18, above-mentioned Tract No. 5635, shown as Parcel 50 on above-mentioned map of Record of Surveys.

Containing: 1,800± s.f.

Part J (Affects Parcel No. 846) [R/W 33236-32A]

That portion of Lot 47, Tract No. 5871, as shown on map recorded in Book 65, pages 4 and 5, of above-mentioned Maps, shown as Parcel 51 on above-mentioned map of Record of Surveys.

Containing: 1,812± s.f.

Part K (Affects Parcel Nos. 850, 851, 852, 855 and 1856) [R/W 33236-36A]

Those portions of the Geo. M. Paine 18.70 Acs., as shown on map of the Gabriel Chaves, et al. Tract, recorded in Book 1163, page 196, of Deeds, in the office of above-mentioned Recorder, and those portions of City Lands of Los Angeles, as shown on a map recorded in Book 2, pages 504 and 505, of Miscellaneous Records, in the office of said Recorder, shown as Parcels 55 and 56 on above-mentioned map of Record of Surveys.

EXCEPTING therefrom that portion of said Parcel 56 lying northwesterly of a line parallel with and 25.00 feet northwesterly, measured at right angles, from the northwesterly line of Lot 104, Tract No. 5872, as shown on map recorded in Book 80, page 78, of above-mentioned Maps.

Containing: 12,907± s.f.

Part L (Affects Parcel Nos. 1545, 1713 and 1796) [R/W 33236-40A]

Those portions of Lots A and B, J. D. and Asa Hunter Property being an amended Survey of the Hunter Tract, as shown on map recorded in Book 13, pages 34 and 35, of above-mentioned Maps, shown as Parcels 62 and 62A on above-mentioned map of Record of Surveys.

Containing: 14,331± s.f.

Part M (Affects Parcel No. 719) [R/W 33236-52A (Por)]

That portion of Lot 18, Tract No. 3416, as shown on map recorded in Book 37, page 68, of above-mentioned Maps, shown as Parcel 80 on above-mentioned map of Record of Surveys.

Containing: 1,355± s.f.

Part N (Affects Parcel Nos. 232 and 718) [R/W 33236-53A]

Those portions of Lots 18 and 19, above-mentioned Tract No. 3416, shown as _____ Parcels 81 and 82 on above-mentioned map of Record of Surveys.

Containing: 2,116± s.f.

Part O (Affects Parcel Nos. 762 and 763) [R/W 33236-55A]

Those portions of Lots 134 and 135, Tract No. 5485, as shown on map recorded in Book 62, pages 11 and 12, of above-mentioned Maps, shown as Parcels 84 and 85 on above-mentioned map of Record of Surveys.

Containing: 1,468± s.f.

Part P (Affects Parcel No. 759) [R/W 33236-56A]

Those portions of Lots 98, 99 and 100, above-mentioned Tract No. 5485, shown as Parcels 86, 87 and 88 on above-mentioned map of Record of Surveys.

Containing: 3,584± s.f.

Part Q (Affects Parcel Nos. 752 and 753) [R/W 33236-59A]

Those portions of Lots 59, 60 and 61, above-mentioned Tract No. 5485, shown as Parcels 93, 94 and 95 on above-mentioned map of Record of Surveys.

Containing: 3,624± s.f.

Part R (Affects Parcel Nos. 749 and 750) [R/W 33236-60A (Portion)]

Those portions of Lots 56 and 57, above-mentioned Tract No. 5485, shown as Parcels 97 and 98 on above-mentioned map of Record of Surveys.

Containing: 2,821± s.f.

Part S (Affects Parcel No. 747) [R/W 33236-62A]

That portion of Lot 31, above-mentioned Tract No. 5485, shown as Parcel 101 on above-mentioned map of Record of Surveys.

Containing: 348± s.f.

Part T (Affects Parcel Nos. 746 and 783) [R/W 33236-65A]

That portion of Lot 1, above-mentioned Tract No. 5485, and that portion of Lot 38, as shown on map of Rancho Los Feliz, recorded in Book 1, pages 161 to 164, inclusive, of Patents, in the office of above-mentioned Recorder, shown as Parcels 104 and 105 on above-mentioned map of Record of Surveys.

Containing: 1,224± s.f.

Part U (Affects Parcel No. 699) [R/W 33236-67A]

That portion of Lot A, Tract No. 3498, as shown on map recorded in Book 38, page 5, of above-mentioned Maps, shown as Parcel 107 on above-mentioned map of Record of Surveys.

Containing: 6,616± s.f.

Part V (Affects Parcel Nos. 387 and 699) [R/W 33236-69A]

That portion of Lot A, above-mentioned Tract No. 3498, shown as Parcel 109 on above-mentioned map of Record of Surveys.

Containing: 9,083± s.f.

APPROVED AS TO DESCRIPTION
July 28, 2005
COUNTY OF LOS ANGELES
By *[Signature]*
SUPERVISING CADASTRAL ENGINEER II
Mapping and Property Management Division